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IN THE UNITED STATES DISTRICT COURT

DISTRICT OF UTAH, CENTRAL DIVISION

SMASH TECHNOLOGY, LLC, a Nevada
limited liability company; and MICHAEL
ALEXANDER, an individual;

Plaintiffs,

vs.

SMASH SOLUTIONS, LLC, a Delaware
limited liability company; JERRY “J.J.”
ULRICH, an individual; and JOHN DOES
1-3;

Defendants.

**DECLARATION OF
MATTHEW C. BARNECK**

Civil No. 2:19-cv-00105-TC

Judge Tena Campbell

I, MATTHEW C. BARNECK, hereby state under criminal penalty of the State of Utah as follows:

1. I am over the age of 18 years and otherwise competent to testify to the facts set forth in this Declaration.

2. Plaintiffs recently produced 680 pages of documents in connection with their Rule 26(a) initial disclosures.

3. Our review of these documents indicates there is no purchase and sale agreement, no license, no assignment of interests, no bill of sale, and no other instrument in writing purporting to effect a transfer to Technology of any rights in the Intellectual Property at issue in this case.

I declare under penalty of perjury under the laws of the United States of America, in accordance with 28 U.S.C. §1746, that the foregoing is true and correct.

DATED this 24th day of May, 2019.

RICHARDS BRANDT MILLER NELSON

/s/ Matthew C. Barneck
MATTHEW C. BARNECK
(Original on file at RBMN)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 24th day of May, 2019, I electronically filed the foregoing **DECLARATION OF MATTHEW C. BARNECK** with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

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